IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRD DAY OF APRIL
TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE P.SWAROOP REDDY

WRIT APPEAL No.224 OF 2007

Between:

Mr.D.John Samuel.

..... APPELLANT

AND

Chairman, NTPC, New Delhi,
And another.

....RESPONDENTS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
P.SWAROOP REDDY

WRIT APPEAL No.224 OF 2007

O R D E R
(Per Sri Justice J.Chelameswar)

The writ appeal is filed aggrieved by an order of the learned single Judge dated 02.11.2006 made in Rev.WPMP No.27868 of 2006 in W.P.No.5772 of 2006 and order dated 08.08.2006 made in W.P.No.5772 of 2006. The prayer in the appeal is as follows:

> **"Hence for the reasons stated above the OPPRESSED, AGGRIEVED, APPELLANT myself, humbly pray the Honl HC to consider my case as genuine and MERCIFULLY for granting me a PEACEFUL COMPROMISE SETTLEMENT, only on HUMANITARIAN GROUND, after quashing the judgment order dt.8-8-06, 2-11-06 passed in WP 5772/06 and termination order No 294/2000 dt 7-8-2000 and declaring as illegal, arbitrary and violation of Article 14, 19, 21, 311(2) and pass a direction to the II respondent, for compliance of any COMPROMISE FORMULA, as respondents OPTION in para 7 A-G, 9 ABC and pass such order or orders as the Honl HC deemed fit and proper in the circumstances of the case and interest of JUSTICE."**

The appellant was working with the respondents and his services were terminated, the details of which are not necessary for the present purpose. Challenging the said termination order dated 07.08.2000, the appellant had earlier approached this Court by way of W.P.No.21519 of 2000, which was dismissed by an order dated

17.12.2002. The appellant herein unsuccessfully preferred an appeal against the said order in W.A.No.268 of 2003. As of today the order of this Court in the abovementioned writ appeal became final. However, the appellant chose to file the present writ petition, which was dismissed by the order under challenge. Not satisfied with the decision of the learned single Judge, the appellant sought a review of the said order by filing Rev.WPMP No.27868 of 2006, which was also dismissed by an order dated 02.11.2006. Hence, the present writ appeal.

It is settled law that a second round of litigation on the issues which were considered and concluded by this Court is not permissible. The appellant, if he is of the opinion that the decision of this Court in W.A.No.268 of 2003 is unsustainable in law, ought to have taken appropriate steps for getting the same corrected. When confronted with this question, the appellant revealed that he approached the Supreme Court by filing an application for legal aid. The Supreme Court Middle Income Group Legal Aid Society addressed a letter dated 10.01.2006 calling upon the appellant to furnish various documents apart from furnishing a bank draft for Rs.8,500/-, a copy of the said letter is placed before this Court.

It is the assertion of the appellant that he cannot even afford to remit the abovementioned amount, and therefore, he could not pursue the matter.

In the circumstances, though we do not see any reason to entertain the writ appeal, we deem it appropriate to direct the appellant to approach the A.P. State Legal Services Authority, which shall consider the case of the appellant, in accordance with Rules for the necessary financial assistance.

Accordingly, the writ appeal is dismissed at the admission stage itself.

JUSTICE J.CHELAMESWAR

P.SWAROOP REDDY

3RD APRIL, 2007
PGS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
P.SWAROOP REDDY

WRIT APPEAL No.224 OF 2007
(Per Sri Justice J.Chelameswar)

3rd APRIL, 2007